

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1378  
Committee Substitute Favorable 6/21/99

Short Title: Reinstatement of Unused Sick Leave.

(Public)

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Sponsors:

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Referred to:

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April 29, 1999

A BILL TO BE ENTITLED

AN ACT RELATING TO THE REINSTATEMENT OF UNUSED SICK LEAVE FOR  
STATE EMPLOYEES, PUBLIC SCHOOL EMPLOYEES, AND COMMUNITY  
COLLEGE EMPLOYEES.

The General Assembly of North Carolina enacts:

Section 1. Article 2 of Chapter 126 of the General Statutes is amended by  
adding a new section to read:

**"§ 126-8.4. Reinstatement of unused sick leave.**

(a) Unused sick leave shall be reinstated provided the former State employee  
returns to employment at a State agency within 10 years of the date of separation.  
Documentation of the unused sick leave balance as of the date of separation shall be  
provided by the former employer at the request of the employing State agency. In the  
event that the former employer cannot document the sick leave balance as of the date of  
separation, the State agency may accept documentation of the unused sick leave balance  
provided by the former employer to the former employee as of the date of separation.

(b) Unused sick leave shall be reinstated at a State agency when the employee was  
previously employed at a State institution, community college, or public school system,  
provided the former employee returns to employment at a State agency within 10 years of  
the date of separation. Documentation of the unused sick leave balance as of the date of

1 separation shall be provided by the former employer at the request of the employing State  
2 agency. In the event that the former employer cannot document the sick leave balance as  
3 of the date of separation, the State agency may accept documentation of the unused sick  
4 leave balance provided by the former employer to the former employee as of the date of  
5 separation.

6 (c) Unused sick leave shall be reinstated at a State agency when the employee was  
7 previously employed in a position covered by the State Personnel Act in county agencies  
8 of mental health, public health, social services, or emergency management, provided the  
9 employee is employed at a State agency within 10 years of the date of separation.  
10 Documentation of the unused sick leave balance as of the date of separation shall be  
11 provided by the former employer at the request of the employing State agency. In the  
12 event that the former employer cannot document the sick leave balance as of the date of  
13 separation, the State agency may accept documentation of the unused sick leave balance  
14 provided by the former employer to the former employee as of the date of separation.

15 (d) The total amount of unused sick leave reinstated at a State agency may not  
16 exceed the amount that would have been earned under the current State employee sick  
17 leave earnings rate."

18 Section 2. Article 23 of Chapter 115C of the General Statutes is amended by  
19 adding a new section to read:

20 "**§ 115C-336.1. Reinstatement of unused sick leave.**

21 (a) Unused sick leave shall be reinstated by a local board of education provided a  
22 former public school employee returns to employment with a public school system within  
23 10 years of the date of separation. Documentation of the unused sick leave balance as of  
24 the date of separation shall be provided by the former employer at the request of the local  
25 board of education. In the event that the former employer cannot document the sick leave  
26 balance as of the date of separation, the local board of education may accept  
27 documentation of the unused sick leave balance provided by the former employer to the  
28 former employee as of the date of separation.

29 (b) Unused sick leave shall be reinstated by a local board of education when the  
30 employee was previously employed by a State agency, institution, or community college,  
31 provided the employee is employed by the local board of education within 10 years of the  
32 date of separation. Documentation of the unused sick leave balance as of the date of  
33 separation shall be provided by the former employer at the request of the local board of  
34 education. In the event that the former employer cannot document the sick leave balance  
35 as of the date of separation, the local board of education may accept documentation of the  
36 unused sick leave balance provided by the former employer to the former employee as of  
37 the date of separation.

38 (c) Unused sick leave shall be reinstated by a local board of education when the  
39 employee was previously employed in a position covered by the State Personnel Act in  
40 county agencies of mental health, public health, social services, or emergency  
41 management, provided the employee is employed by the local board of education within  
42 10 years of the date of separation. Documentation of the unused sick leave balance as of  
43 the date of separation shall be provided by the former employer at the request of the local

1 board of education. In the event that the former employer cannot document the sick leave  
2 balance as of the date of separation, the local board of education may accept  
3 documentation of the unused sick leave balance provided by the former employer to the  
4 former employee as of the date of separation.

5 (d) The total amount of unused sick leave reinstated by a local board of education  
6 may not exceed the amount that would have been earned under the current public school  
7 employee sick leave earnings rate."

8 Section 3. Article 2 of Chapter 115D of the General Statutes is amended by  
9 adding a new section to read:

10 **"§ 115D-22.1. Reinstatement of unused sick leave.**

11 (a) Unused sick leave may be reinstated by a community college board of trustees  
12 provided a former community college employee returns to employment with a  
13 community college within 10 years of the date of separation, and if the receiving board is  
14 willing to accept the leave. Documentation of the unused sick leave balance as of the  
15 date of separation shall be provided by the former employer at the request of the board of  
16 trustees. In the event that the former employer cannot document the sick leave balance  
17 as of the date of separation, the board of trustees may accept documentation of the unused  
18 sick leave balance provided by the former employer to the former employee as of the date  
19 of separation.

20 (b) Unused sick leave may be reinstated by a community college board of trustees  
21 when the employee was previously employed by a State agency, institution, or public  
22 school system, provided the employee is employed by the board of trustees within 10  
23 years of the date of separation, and if the receiving board is willing to accept the leave.  
24 Documentation of the unused sick leave balance as of the date of separation shall be  
25 provided by the former employer at the request of the board of trustees. In the event that  
26 the former employer cannot document the sick leave balance as of the date of separation,  
27 the board of trustees may accept documentation of the unused sick leave balance  
28 provided by the former employer to the former employee as of the date of separation.

29 (c) Unused sick leave may be reinstated by a community college board of trustees  
30 when the employee was previously employed in a position covered by the State  
31 Personnel Act in county agencies of mental health, public health, social services, or  
32 emergency management, provided the employee is employed by the board of trustees  
33 within 10 years of the date of separation, and if the receiving board is willing to accept  
34 the leave. Documentation of the unused sick leave balance as of the date of separation  
35 shall be provided by the former employer at the request of the board of trustees. In the  
36 event that the former employer cannot document the sick leave balance as of the date of  
37 separation, the board of trustees may accept documentation of the unused sick leave  
38 balance provided by the former employer to the former employee as of the date of  
39 separation.

40 (d) The total amount of unused sick leave reinstated by a community college board  
41 of trustees may not exceed the amount that would have been earned under the current  
42 community college employee sick leave earnings rate."

43 Section 4. This act becomes effective July 1, 1999.